

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JEFFREY KELLEY,

Plaintiff,

v.

COMMONWEALTH OF PENNSYLVANIA, et

al.,

Defendants.

CIVIL ACTION NO. 3:12-1853

(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW, this 22<sup>nd</sup> day of February, 2013, upon review of Magistrate Judge Carlson's Report and Recommendation (Doc. 7) for clear error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 7) is **ADOPTED**.
- (2) The Complaint (Doc. 1) is **DISMISSED without prejudice**.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo  
United States District Judge